

**Minutes of the  
REGULAR MEETING  
Troy CITY COUNCIL  
June 6, 2013.**

**The meeting was called to order at 7:00 PM by City Council President Kopka.**

**The roll being called, the following answered to their names: Council members Kevin McGrath, Mark McGrath, Dean Bodnar, Robert Doherty, Ken Zalewski, Gary Galuski, Rodney Wiltshire, and President Lynn Kopka.**

**Also present were, Counsel to the Council Joe Liccardi, Council Secretary Lucy Larner, and several Department Heads. The meeting was attended by approximately 25 members of the public.**

**PUBLIC COMMENT PERIOD:**

1. Tina Urzan spoke regarding the need to recycle our old buildings when they must be demolished, and referred to the example of Historic Albany Foundation.

**CONSIDERATION OF LOCAL LAW**

2. Local Law No. 2 (Intro #2) for 2013 Amending the Troy City Charter. (Council President Kopka) (At the Request of the Administration)

***Passed by unanimous vote.***

**CONSIDERATION OF ORDINANCES**

35. Ordinance Authorizing and Directing Sales by the Private Sale Method of City-Owned Real Properties. (Council President Kopka) (At the Request of the Administration)

***Passed by unanimous vote.***

36. Ordinance Authorizing Settlement of Claim, to wit: Nicola Mele v. the City of Troy, New York, its Agents, Servants, and/or Employees and John Doe, Peter Doe and Jane Doe, et. al. Index No.: 238077. (Council President Kopka) (At the Request of the Administration)

***Passed by unanimous vote.***

37. Ordinance Amending the Code of the City of Troy, Chapter 270 Vehicles and Traffic, § 270-22 (A) Entitled Parking Facilities. (Council President Kopka) (At the Request of the Administration)

***Passed by unanimous vote.***

38. Ordinance Amending the Code of the City of Troy, Chapter 22 Community Relations Committee, § 22-2 (A) Entitled Membership and Terms. (Council President Kopka) (At the Request of the Administration)

***Passed by unanimous vote.***

**39.** Ordinance Amending the 2013 Capital Budget Fund to Establish a Capital Project/Account and to Appropriate Funds per the Agreement Between the City of Troy and the Department of Transportation for the Purpose of Signal Improvements on Pawling Avenue. (Council President Kopka) (At the Request of the Administration)

***Passed by unanimous vote.***

**40. Withdrawn at May 16, 2013 Finance Meeting—**

**41.** Ordinance Approving Settlement of Certiorari Proceedings Instituted by W. Farley Jones and Elizabeth Jones on Property Located in the City of Troy and on the Assessment Roll of the City of Troy. (Council President Kopka) (At the Request of the Administration)

***Passed by unanimous vote.***

**42.** Ordinance Approving Settlement of Certiorari Proceedings Instituted by Price Chopper Operating Company on Property Located in the City of Troy and on the Assessment Roll of the City of Troy. (Council President Kopka) (At the Request of the Administration)

***Passed by unanimous vote.***

**43.** Ordinance to Amend the FY 2013 Budget to Receive Federal revenue in the Amount of \$5,775.00 from the “Child Passenger Safety Program,” Grant Administered Through the NYS Governor’s Traffic Safety Committee and Appropriate the Funds to the Troy Police Department Accounts in the Same Amount for Expenditure. (Council President Kopka) (At the Request of the Administration)

***Passed by unanimous vote.***

**44.** Ordinance to Amend the FY 2013 Budget to Receive Federal revenue in the Amount of \$1,600.00 from the “Bicycle Helmet Safety Program,” Grant Administered Through the NYS Governor’s Traffic Safety Committee and Appropriate the Funds to the Troy Police Department Accounts in the Same Amount for Expenditure. (Council President Kopka) (At the Request of the Administration)

***Passed by unanimous vote.***

**45.** Ordinance Amending the 2010 and 2011 Home Program to Transfer and Appropriate Funds within the Home Program Budget. (Council President Kopka) (At the Request of the Administration)

***Passed by unanimous vote.***

#### **CONSIDERATION OF RESOLUTIONS :**

**23.** Resolution Appointing Commissioners of Deeds for the City of Troy. (Council President Kopka) (At the Request of the Administration) *Ken Zalewski motioned and Dean Bodnar seconded an amendment to change Delair to DeLair and Fitzgerald to FitzGerald and to add Kimberly J. Mcpherson, Michael Barrett, Deborah Lockrow, Thomas W. Wade, and J. Brant Caird to the resolution. The amendment passed by unanimous vote. The amended resolution -*

***Passed by unanimous vote.***

**24.** (Previously passed)

**25.** Resolution Honoring the One Hundredth Anniversary of Sacred Heart Church and the Eighty Fifth Anniversary of Sacred Heart School. (Council President Kopka, Council Member Zalewski and Council Member Galuski) (At the Request of the Administration)

***Passed by unanimous vote.***

**26.** Resolution Recommending the Strengthening of Human-Trafficking Legislation and the Amendment of Relevant Laws to Protect the Rights of Human-Trafficking Victims in Troy, New York; to Discourage and Suppress Human-Trafficking in the City of Troy; to Reinforce Support Networks for Human-Trafficking Victims; and to Urge Support for New York State's Forthcoming Women's Equality Act, Among Other Legislative Initiatives. (At the Request of Council Member Wiltshire) *Kopka moved and Doherty seconded an amended version of the resolution. The amendment passed by unanimous vote. The amended resolution(attached) passed by unanimous vote.*

**27.** Resolution Authorizing the Mayor to Execute a Time Extension to an Easement for the Benefit of Realex, LLC to Accommodate the Reconstruction of "Bombers" Located at 2 King Street. (Council President Kopka) (At the Request of the Administration)

***Passed by unanimous vote.***

**28.** Resolution Authorizing the Implementation and Funding in the First Instance 100% of the Federal-Aid and State "Marchiselli" Program-Aid Eligible Costs of a Transportation Federal-Aid Project, and Appropriating Funds Therefore. (Council President Kopka) (At the Request of the Administration)

***Passed by unanimous vote.***

## **ADJOURNMENT**

**Council Member Dean Bodnar moved for adjournment and the meeting was adjourned at 7:24 PM.**

**A True record of the Troy City Council Minutes of June 6, 2013**

**Karla Guererri  
Troy City Clerk**

Appendix A

RES. #26

**RESOLUTION RECOMMENDING THE STRENGTHENING OF HUMAN-TRAFFICKING LEGISLATION AND THE AMENDMENT OF RELEVANT LAWS TO PROTECT THE RIGHTS OF HUMAN-TRAFFICKING VICTIMS IN TROY, NEW YORK; TO DISCOURAGE AND SUPPRESS HUMAN-TRAFFICKING IN THE CITY OF TROY; TO REINFORCE SUPPORT NETWORKS FOR HUMAN-TRAFFICKING VICTIMS; AND TO URGE SUPPORT FOR NEW YORK STATE'S FORTHCOMING WOMEN'S EQUALITY ACT, AMONG OTHER LEGISLATIVE INITIATIVES**

**WHEREAS**, the United Nations Office of Drugs and Crime recognizes human trafficking as the acquisition of people through coercive and/or exploitative means that may include force, fraud, and/or deception,

**WHEREAS**, within the term "human trafficking," New York State recognizes sex trafficking and labor trafficking, and punishes each crime through Chapter 74, Laws of 2007, the New York State Anti-Trafficking Law of 2007, by which sex trafficking receives a penalty of Class B felony and labor trafficking receives a penalty of Class D felony,

**WHEREAS**, New York State has sought to protect victims of human trafficking (notably, sex trafficking) who are minors through several legislative initiatives, such as Chapter 569, Laws of 2008, the Safe Harbor for Exploited Children Act of 2008, which has aimed to decriminalize the actions of minor victims involved in prostitution,

**WHEREAS**, the New York State legislature is reviewing the Trafficking Victims Protection and Justice Act (S.2511/A.7254), which aims to acknowledge that child prostitutes are victims, defend trafficked individuals from prosecutions, improve the access of victims to legal and social services, expand trafficker accountability and close exploiters' legal loopholes, eliminate degrading language such as "prostitute," and strengthen prosecution against human traffickers,

**WHEREAS**, the U.S. House of Representatives is reviewing the Trafficking Victim Reauthorization Act of 2013, which would provide resources to support victims and to enable authorities to better investigate trafficking cases, among other domestic and foreign initiatives,

**WHEREAS**, of the 162 New York State human-trafficking cases that the National Human Trafficking Resources Center (NHTRC) referenced in 2012, 53 cases demonstrated a high likelihood of human trafficking; and 42 of those high-risk cases involved females,

**WHEREAS**, of the 162 New York human-trafficking cases that the National Human Trafficking Resources Center (NHTRC) referenced in 2012, 43 cases involved minors by means of information requests, technical-assistance requests, referrals, tips, and/or crisis situations,

**WHEREAS**, NHRTC data cannot, and will not, reflect the complete records of human trafficking in New York State, such statistics provide strong evidence of continued sex and labor trafficking in the state as well as the involvements (often, involuntary) of females and minors in those processes, RES. #26

**WHEREAS**, New York Governor Andrew Cuomo has made the strengthening of anti-trafficking laws a top priority in his forthcoming Women's Equality Act; as that act's goal is to achieve fairness for women by reducing historical complications, such as human trafficking, which have perpetuated the systematic discrimination and mistreatment of women within New York State,

**WHEREAS**, non-governmental organizations (NGOs) such as the New York State Anti-Trafficking Coalition, End Child Prostitution and Trafficking (ECPAT), and other entities have argued for the strengthening of anti-trafficking laws in New York State, citing need for more severe penalties, greater support networks for human-trafficking victims, and greater discretion throughout the victim-adjudication process,

**WHEREAS**, advocates of stronger human-trafficking legislation in New York State have promoted stronger penalization of human traffickers; for instance, New York State's proposed Trafficking Victims Protection and Justice Act supports increasing sex trafficking from Class B felony to Class B violent felony, and labor trafficking from Class D felony to Class B felony,

**WHEREAS**, New York State's current anti-trafficking legislation requires prosecutors to demonstrate perpetrator "coercion" in order to attain a human-trafficking conviction, activist groups such as ECPAT argue that such conviction requirements should be reduced in cases that involve victims who are minors,

**WHEREAS**, anti-trafficking groups such as ECPAT also have argued that New York State should create an affirmative defense in prostitution cases, which could demonstrate that many defendants' actions were results of sex-trafficking exploitation rather than complicity,

**WHEREAS**, many service providers for victims need additional funds, and expanded funding for shelter, legal assistance, healthcare, and psychological aid would increase the effectiveness of clinics, courts, shelters and other service providers in accommodating victims following their trafficking experiences,

**WHEREAS**, Troy, New York, holds stances in harmony with many of the progressive positions demonstrated by the noted NGOs and other entities; and with the legislation that such groups have produced for public review,

**WHEREAS**, it is acknowledged that the prosecution of human trafficking, including sex and labor trafficking, is governed by the laws of New York State; and that it is the State's responsibility to promote its citizens' wellbeing,

**BE IT RESOLVED**, that the City Council of Troy supports the New York State Women's Equality Act and the Trafficking Victims Protection and Justice Act, and the United States Trafficking Victim Reauthorization Act.

**BE IT FURTHER RESOLVED**, that the Clerk of the City of Troy is hereby directed to transmit a copy of this resolution to the New York State Legislature and requests the Senate and Assembly to enact legislation to accomplish the goals of the resolution. **RES. #26**

**Approved as to form, May 9, 2013**

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***Ian H. Silverman, Esq.***, Corporation Counsel